

**IN THE CLAIMS:**

**Please amend the claims of the subject patent application as follows:**

1- 105 (Cancelled)

106. (new) A non-halogen resin blend comprising an intumescent flame retardant selected from the group consisting of melamine, melamine phosphate, melamine polyphosphate and melamine pyrophosphate; and a polyolefin selected from the group consisting of polypropylenes, polyethylenes, thermoplastic rubbers and thermoplastic elastomers.

107. (new) The resin blend of claim 106, wherein the polyolefin comprises 10 to 85 percent by weight of the composition.

108. (new) The resin blend of claim 106, wherein the polyolefin comprises 50 to 75 percent by weight of the composition.

109. (new) The resin blend of claim 106, wherein the intumescent flame retardant comprises 10 to 50 percent by weight of the composition.

110. (new) The resin blend of claim 107, wherein the intumescent flame retardant comprises 10 to 50 percent by weight of the composition.

111. (new) The resin blend of claim 108, wherein the intumescent flame retardant comprises 10 to 50 percent by weight of the composition.

112. (new) The resin blend of claim 106, wherein the intumescent flame retardant comprises 25 to 35 percent by weight of the composition.

113. (new) The resin blend of claim 107, wherein the intumescent flame retardant comprises 25 to 35 percent by weight of the composition.

114. (new) The resin blend of claim 108, wherein the intumescent flame retardant comprises 25 to 35 percent by weight of the composition.

115. (new) A cable insulation comprising a non-halogen containing thermoplastic or thermoset polyolefin blend formed by combining an intumescent flame retardant selected from the group consisting of melamine, melamine phosphate, melamine pyrophosphate and melamine polyphosphate with at least one polyolefin.

116. (new) A cable comprising the cable insulation of claim 115.

117. (new) The cable according to claim 116, wherein the cable is selected from the group consisting of plenum cable, fiber optic cable, copper cable, telecommunications cable, and video cable.

## SUPPORT

The amendment cancels all current claims and adds new claims 106 -117.

Support for the claimed matter is as follows

| Claim        | Element  | Location            |
|--------------|--|---------------------|
| 106          | Non-Halogen  | PAGE 6, line 24     |
|              | Intumescent Flame Retardant  | PAGE 5, line        |
|              | melamine   | PAGE 9, Line 3 – 7* |
|              | melamine phosphate   | PAGE 9, Line 3 – 7* |
|              | melamine polyphosphate   | PAGE 9, Line 3 – 7* |
|              | melamine pyrophosphate   | PAGE 9, Lim 3 – 7*  |
|              | polyolefin   | PAGE 6, line 25     |
|              | polypropylenes   | PAGE 7, lines 14-25 |
|              | polyethylenes  | PAGE 7, lines 14-25 |
|              | thermoplastic rubbers  | PAGE 7, lines 18    |
|              | thermoplastic elastomers   | PAGE 7, lines 18    |
| 107          | polyolefin comprises 10 to 85 percent by weight of the composition                       | PAGE 8, line 8      |
| 108          | polyolefin comprises 50 to 75 percent by weight of the composition                       | PAGE 8, line 9      |
| 109 -<br>111 | intumescent flame retardant comprises 10 to 50 percent by weight of the composition      | PAGE 9, line 16     |
| 112 -<br>114 | intumescent flame retardant comprises 25 to 35 percent by weight of the composition      | PAGE 9, line 17     |
| 115          | A cable insulation ...   | PAGE 5, line 18     |
| 116          | A cable...   | PAGE 5, line 19-21  |
| 117          | plenum cable, fiber optic cable, copper cable, telecommunications cable, and video cable | PAGE 5, line 19-21  |

\* The Office Action held the term activated as unclear under 35 USC 112. In the new claims activated melamine pyrophosphate and unactivated melamine pyrophosphate, as well as activated melamine polyphosphate and unactivated melamine polyphosphate are now

addressed as melamine pyrophosphate or melamine polyphosphate. This avoids the use of the term “activated” without adding new matter. A melamine pyro- or polyphosphate is either activated or not. There is no third alternative. Thus, by addressing melamine pyrophosphate, present claim 106 covers previous alternative (a) and (g) of claim 1. By referring to melamine polyphosphates, previous alternatives (b) and (h) of claim 1 are covered. This amounts therefore, to nothing but an alternative description of what was disclosed before.